IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 19152 of 2004

Between:

1 Kona Ramalingam S/o Mallaiah
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
2 Kona Samba Sivarao S/o Ramalingam
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
3 Kona Ravi Kumar S/o Anjaiah
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
4 Kona Srinivasa Rao S/o Chenchaiah
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
5 Kona Anjaiah S/o Chenchaiah
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
6 Kona Annapurnamma W/o Satyanarayana
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District
7 Kona Kotilingam S/o Sambaiah
R/o Jangamvariplem V, yaddanapudi (M) Prakasam District

..... PETITIONER(S)

AND

1 The District Collector Ongole Prakasam District
2 Mandal Revenue Officer, yadanapudi Prakasam District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order ordirection more in the nature of Writ of Mnadmaus directing the respondnets not to interfere with the peaceful possession and enjoyement of the petitioners in respect of the land 27-40 cents of land in S. NO. 723 of Polur (V) yadannapudi Mndal Prakasam District by declaring that the action of the 2nd respondent in threatening to evict the petitioners from the said land is highly arbitrary illegal violtive of art 14,21 and 300-A of the Constitution of India

Counsel for the Petitioners:MR.C.RAMACHANDRA RAJU

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

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The Mandal Revenue Officer vide letter in R.C.No.A/243/2003, dated 15.07.2004, submitted his report through the Revenue Divisional Officer to the District Collector seeking clarification that whether the property admeasuring Ac.8.40 cents, which in possession of the petitioners and which is classified as 'Sambacheruvu' can be assigned to the landless poor persons or may be kept in use as drinking water tank by the people in the neighbouring area. The grievance of the petitioners is that even while the said proposal is pending before the Collector, the 2nd respondent is trying to dispossess them from the land in question.

Once the petitioners are said to be in possession of the property, the respondents are bound to follow the procedure prescribed under law in order to evict the petitioners from the lands in question.

With the above observation, the writ petition is disposed of. No costs.

14.10.2004

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To

1 The District Collector Ongole Prakasam District
2 Mandal Revenue Officer yaddanapudi Mandal, Yaddanapudi,

Prakasam District

3 2 CCs to the G.P. for Revenue, High Court Buildings, High

Court of A.P., Hyderabad (OUT).

4. 2 CD copies.